

# California Victim Compensation and Government Claims Board Open Meeting Minutes

**December 15, 2005**

The California Victim Compensation and Government Claims Board convened its regular session at the call of George Valverde, Acting Secretary, State and Consumer Services Agency, at the First Floor Hearing Room, 630 "K" Street, Sacramento, California, on Thursday, December 15, 2005, at 10:00 a.m. Also present was Board member Windie Scott, Deputy State Controller, acting for and in the absence of Steve Westly, Controller. Michael Ramos, San Bernardino District Attorney, was absent from the meeting.

Board staff present included Karen McGagin, Executive Officer; Tom O'Connor, Chief Deputy Executive Officer; Kathleen Andleman, Chief Counsel; and Irma Mitchell, Board Liaison, recorded the meeting.

The Board meeting commenced at 10:00 a.m. with the pledge of allegiance.

## **MINUTES**

The Board voted to adopt the minutes of the November 17, 2005 Board meeting.

## **GOVERNMENT CLAIMS PROGRAM**

### Item 1 **Government Claims Consent Agenda:**

The Board voted to adopt the staff recommendations on the claims listed on the Government Claims Program Consent Agenda with the following changes:

#### Item 13 **Pacific Storage Company** **G555006**

The Board voted to adopt the staff recommendation to partially allow the claim in the amount of \$1,009.50 rather than the initially recommended amount of \$7,138.24.

#### Item 84 **Cindy Hereth** **G529573**

The Board approved staff's request to continue the claim to the January 19, 2006 meeting.

#### Item 119 **Anson Spencer** **G555950**

The Board approved staff's request to continue the claim for further review until the January 19, 2006 meeting.

Total Claims	Claims Rejected	Claims Allowed in Whole or Part	Claims Allowed	
			Paid via Gov. Code §965	Paid via Claims Bill
299	164	83	26	57

Item 2 **Claimant: Alternative Programs, Inc. G540627, G540703, G540841, G546232, G546236, G552248, G552455**

The Board approved claimant's request to continue the claim to the January 19, 2006 meeting.

Item 3 **Claimant: R. L. Klein & Associates G556106**

Bob Klein appeared on behalf of R.L. Klein & Associates and Jim Woodward appeared on behalf of the Department of Motor Vehicles.

The Board continued the claim to the January 19, 2006 Meeting.

Item 4 **Claimant: University of California, Los Angeles G540623**

The Board voted to adopt the staff recommendation to allow the claim in the amount of \$60,291.25 to be paid under the authority of Government Code section 965 (agency pay).

Item 5 **Claimant: Munger Farms G540591**

John Cape appeared on behalf of the Department of Water Resources.

The Board voted to adopt the staff recommendation to partially allow the claim in the amount of \$75,000 to be paid under the authority of Government Code section 965 (agency pay).

Item 6 **Claimant: City of Anaheim G538320**

Dee Dee Andris, Assistant Caltrans Administrator, Protests, Disputes and Claims, appeared on behalf of the Department of Transportation.

The Board voted to adopt the staff recommendation to partially allow the claim in the amount of \$127,490.77, to be paid under the authority of Government Code section 965 (agency pay).

Item 7 **Claimants: Alvarado Medical Center G547590**  
**Asereth Medical Services, Inc. G554243**  
**Riverside Healthcare Systems G554785**

The Board voted to adopt the staff recommendation to allow the claims in the amounts of \$4,089.15, \$49,752.50, and \$8,431.29, respectively, to be paid under the authority of Government Code section 965 (agency pay).

### **VICTIM COMPENSATION PROGRAM**

The Board commenced the Victim Compensation Program portion of the meeting at 10:16 a.m.

### **REPORTS TO THE BOARD**

### **THE EXECUTIVE OFFICER'S STATEMENT**

The Executive Officer presented her report to the Board.

- Government Claims Surcharge Adjustments
- VCGCB Customer Service Initiative
- VCGCB Employees Help Build Strategic Plan
- Victim of Crime Act Appropriations Authorized
- Victim Compensation Program Advisory Committee Meeting
- California Victim Witness Coordinating Council Compensation Committee
- VCGCB Updates
  - New Information Security Officer Joins the VCGCB
  - Victim Compensation Specialist, Support Staff and Advocate Trainings
  - Outreach Visits to Joint Powers Counties
  - Revenue Recovery and Accounting Division Activities

### **CaRES PROJECT UPDATE**

Debra Gonzales, Chief Information Officer, and Errol Thomas, CaRES Project Manager, delivered the "CaRES Project Status Report" for December, 2005.

### **CONTRACTS REPORT**

Ms. McGagin delivered the Contracts Report for November 2005.

### **REQUESTS FOR RECONSIDERATION**

The Board voted to adopt the staff recommendations to allow the requests for reconsideration for agenda item numbers 1 through 3, and deny the requests for reconsideration for agenda item numbers 4 through 25.

Item 4	<b>CLAIMANT</b>	<b>668588V</b>
Item 5	<b>CLAIMANT</b>	<b>692618V</b>
Item 6	<b>CLAIMANT</b>	<b>699596V</b>
Item 7	<b>CLAIMANT</b>	<b>762038V</b>
Item 8	<b>CLAIMANT</b>	<b>774543V</b>
Item 9	<b>CLAIMANT</b>	<b>787562V</b>
Item 10	<b>CLAIMANT</b>	<b>798577V</b>
Item 11	<b>CLAIMANT</b>	<b>813967V</b>
Item 12	<b>CLAIMANT</b>	<b>817559V</b>
Item 13	<b>CLAIMANT</b>	<b>826988V</b>
Item 14	<b>CLAIMANT</b>	<b>831623V</b>
Item 15	<b>CLAIMANT</b>	<b>844854V</b>
Item 16	<b>CLAIMANT</b>	<b>855395V</b>
Item 17	<b>CLAIMANT</b>	<b>855432V</b>
Item 18	<b>CLAIMANT</b>	<b>857762V</b>
Item 19	<b>CLAIMANT</b>	<b>863532V</b>
Item 20	<b>CLAIMANT</b>	<b>865312V</b>
Item 21	<b>CLAIMANT</b>	<b>869928V</b>
Item 22	<b>CLAIMANT</b>	<b>874569V</b>
Item 23	<b>CLAIMANT</b>	<b>875014V</b>
Item 24	<b>CLAIMANT</b>	<b>876657V</b>
Item 25	<b>CLAIMANT</b>	<b>887973V, 887974V</b>

**CLAIMS FOR WHICH APPEALS WERE WITHDRAWN OR DEEMED TO BE WITHDRAWN**

The Board voted to adopt the staff recommendations on the claims for which appeals were withdrawn or deemed to be withdrawn and action on claims for which a hearing was denied under California Code of Regulations, Title 2, section 647.20.1 or for which the applicant failed to appear or proceed under section 647.35 for agenda item numbers 26 through 54.

**CLOSED SESSION**

Pursuant to Government Code sections 11126(c)(3) and 11126(e), the Board adjourned into Closed Session with the Board's Executive Officer, Chief Executive Officer, and Chief Counsel at 10:24 a.m. to deliberate on the proposed decisions for agenda item numbers 55 through 70 and to confer with and receive advice from legal counsel regarding pending litigation.

The Board reconvened into open session at 10:28 a.m.

**PROPOSED DECISIONS**

Item 55	<b><u>CLAIMANT</u></b>	<b><u>620571V</u></b>
The Board voted to adopt the proposed decision.		
Item 56	<b><u>CLAIMANT</u></b>	<b><u>696515V</u></b>
The Board voted to adopt the proposed decision.		
Item 57	<b><u>CLAIMANT</u></b>	<b><u>703125V</u></b>
The Board voted to adopt the proposed decision.		
Item 58	<b><u>CLAIMANT</u></b>	<b><u>724625V</u></b>
The Board voted to adopt the proposed decision.		
Item 59	<b><u>CLAIMANT</u></b>	<b><u>790295V</u></b>
The Board voted to adopt the proposed decision.		
Item 60	<b><u>CLAIMANT</u></b>	<b><u>792625V</u></b>
The Board voted to adopt the proposed decision.		
Item 61	<b><u>CLAIMANT</u></b>	<b><u>797053V</u></b>
The Board voted to adopt the proposed decision.		
Item 62	<b><u>CLAIMANT</u></b>	<b><u>801723V</u></b>
The Board voted to adopt the proposed decision.		
Item 63	<b><u>CLAIMANT</u></b>	<b><u>805802V</u></b>
The Board voted to adopt the proposed decision.		
Item 64	<b><u>CLAIMANT</u></b>	<b><u>817258V</u></b>
The Board voted to adopt the proposed decision.		
Item 65	<b><u>CLAIMANT</u></b>	<b><u>820386V</u></b>
The Board voted to adopt the proposed decision.		
Item 66	<b><u>CLAIMANT</u></b>	<b><u>822047V</u></b>
The Board voted to adopt the proposed decision.		
Item 67	<b><u>CLAIMANT</u></b>	<b><u>824287V</u></b>
The Board voted to adopt the proposed decisions.		
Item 68	<b><u>CLAIMANT</u></b>	<b><u>842997V</u></b>
The Board voted to adopt the proposed decision.		
Item 69	<b><u>CLAIMANT</u></b>	<b><u>844119V</u></b>
The Board voted to adopt the proposed decision.		
Item 70	<b><u>CLAIMANT</u></b>	<b><u>863991V, 863992V</u></b>
The Board voted to adopt the proposed decision.		

**ADJOURNMENT**

The meeting was adjourned at 10:30 a.m.

KAREN McGAGIN  
Executive Officer

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I certify that the California Victim Compensation and Government Claims Board  
adopted these minutes at its meeting of January 19, 2006 at Sacramento, California.

Date: January 19, 2006

By:

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Christina M. Aceituno  
Acting Board Liaison

*(Affix seal here)*